

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**SUNGARD RECOVERY SERVICES, L.P.**

**Plaintiff**

:

**CIVIL ACTION**

**vs.**

:

**NO. 02-4444**

**COMCAR INDUSTRIES, INC.,**

**Defendant.**

:

**RULE 16 CONFERENCE**

In accordance with Federal Rule of Civil Procedure 16, a **conference** will held before the Honorable Petrese B. Tucker on **Tuesday, November 16th, 2004, at 10 am** in Room 9613, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania.

Attached is a Rule 16 Conference Information Report which you are required to complete and forward to the court at least three (3) days prior to the conference. This report does not have to be officially filed of record.

Counsel must be prepared to address all relevant issues including, but not limited to, the following matters:

- (a) Jurisdictional defects, if any;
- (b) Time limits for the possible joinder of additional parties and to amend pleadings;
- (c) Prospects of amicable settlement;
- (d) Progress of Initial Disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure;
- (e) Establishing schedules for the remaining pretrial proceedings including discovery, pretrial filings, the exchange of expert reports, etc.;
- (f) Filing of dispositive motions;
- (g) Setting a firm date for trial.

If trial counsel in this case is on trial in a Court of record at the time of the Rule 16 Conference, another attorney in such trial attorney's office, who should be familiar with the case, is required to appear at the Rule 16 Conference. The Rule 16 Conference will be continued to another date only in exceptional cases.

cc: James T. Smith, Esq.  
Susan L. Buckman, Esq.

Alisa Ross, Deputy Clerk to Judge Petrese B. Tucker

Date Issued: October 27, 2004

**RULE 16 CONFERENCE INFORMATION REPORT** Conference Date: \_\_\_\_\_

Civil Action No. JURY TRIAL \_\_\_\_\_ NON-JURY TRIAL \_\_\_\_\_

Title of Case: \_\_\_\_\_

Name of Party You Represent: \_\_\_\_\_

Party is: plaintiff \_\_\_\_\_ defendant \_\_\_\_\_ third-party defendant \_\_\_\_\_

Name of Trial Counsel: \_\_\_\_\_

Law Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number (including area code): \_\_\_\_\_ Fax No. \_\_\_\_\_

Basis for  
Jurisdiction: \_\_\_\_\_

Proof of Service Filed as to Defendant: Yes \_\_\_\_\_ No \_\_\_\_\_

Has self-executing disclosure been completed? Yes \_\_\_\_\_ No \_\_\_\_\_

If not, explain what remains to be completed: \_\_\_\_\_

What, if any, matters do you wish to bring to the attention of the court at the Rule 16 conference?

\_\_\_\_\_

Case will be ready for trial on or about: \_\_\_\_\_

Trial time: a) Estimate of total time to present your case \_\_\_\_\_  
b) Estimate of total time for the entire trial \_\_\_\_\_

Prospect of settlement: Likely \_\_\_\_\_ Possible \_\_\_\_\_ Unlikely \_\_\_\_\_ Unknown \_\_\_\_\_  
Settlement conference desired? Now \_\_\_\_\_ Later \_\_\_\_\_

Do you elect to proceed before Magistrate Judge Caracappa? \_\_\_\_\_  
Yes/No

Additional comments: \_\_\_\_\_

Counsel for \_\_\_\_\_ Date: \_\_\_\_\_